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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,487	10/07/2004	Olivier A. Furon	84267DAN	1574

1333 7590 11/01/2007
EASTMAN KODAK COMPANY
PATENT LEGAL STAFF
343 STATE STREET
ROCHESTER, NY 14650-2201

EXAMINER

NANO, SARGON N

ART UNIT	PAPER NUMBER
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2157

MAIL DATE	DELIVERY MODE
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11/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/510,487

Applicant(s)

FURON ET AL.

Examiner

Sargon N. Nano

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. §.133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1- 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is responsive to application filed on Oct. 7, 2004. Claims 1 – 12 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Steinberg U.S. Patent No. 7, 155, 070.

Steinberg teaches a visual cell phone notification of processed film images. Consumer can preview images of processed film sent from a film development laboratory to the consumer's cell phone equipped with visual display (see abstract).

As to claim 1, Steinberg teaches a process enabling a digital image to be displayed on a terminal equipped with a keyboard and a display screen, the process comprising the steps of:

a) composing from the keyboard of the terminal, an electronic message including at least one identifier of a photographic support comprising thumbnails b)

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sending from the terminal, the electronic message composed in said step a) to a messaging server, said messaging server being identified by a unique telephone number; (see col. 2 lines 1 – 22, Steinberg discloses an order for photographic prints is ordered by cell phone);

c) automatically transmitting said electronic message to a processing server; d) automatically processing, from the processing server, the electronic message sent, in order to select a set of digital images corresponding to the thumbnails of the identified photographic support and included in the electronic message (see col. 3 lines 3 – 16, Steinberg discloses a message is sent to a consumer to view thumbnail images);

e) automatically transmitting to the terminal a notification of the availability of the set of selected digital images (see col. 3 lines 3 – 16, Steinberg discloses a message is sent to a consumer to view thumbnail images);

f) automatically displaying on the screen of the terminal the notification of the availability of the selected digital images (see col.3 lines 22 – 43 (see col. 3 lines 3 – 16, Steinberg discloses a consumer notified of prints are ready for pick up);

g) validating, from the terminal, a display request for the available digital images (see abstract and figs. 3A – 3C); h) automatically transmitting the available digital images to the terminal (see abstract and figs. 3A – 3C); and

i) automatically displaying said digital images on the screen of the terminal (see abstract and figs. 3A – 3C).

As to claim 2, Steinberg teaches the process according to claim 1, wherein, during said step b) an automatic invoicing is further carried out, the value of the invoiced

sum being a function of a content of the electronic message composed at said step a)
(see col. 3 line 61 – col. 4 line 2).

As to claim 3, Steinberg teaches the process of claim 1, wherein the display request comprises activating, from the keyboard of the terminal, a universal resource location (URL) mentioned in the notification of availability (see col., 1 lines 16 – 45 and col. 4 lines 1 – 2).

As to claim 4, Steinberg teaches the process of claim 1, wherein from the display on the screen of all the identifiers specific to the thumbnails of a photographic support, it enables the selection of at least one identifier of said set, and in that it enables the validation of the identifier selection performed, so as to display on the screen of the terminal, the digital image corresponding to the selected identifier (see col.4 lines 3 – 27).

As to claim 5, Steinberg teaches the process of claim 1, such that in the transmission of a plurality of digital images to the terminal, said digital images are automatically displayed successively in a display sequence whose frequency can be programmed (see col. 3 lines 22 – 60 and fig.2).

As to claim 6, Steinberg teaches the process of claim 1, such that in the transmission of a plurality of digital images to the terminal, said digital images are displayed successively according to a request manually performed from the keyboard of the terminal (see col.3 lines 3 – 16).

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As to claim 7, Steinberg teaches the process of claim 1, wherein the photographic support comprises an identifier located in a zone of said photographic support (see col. 4 lines 10 – 27).

As to claim 8, Steinberg teaches the process of claim 1, wherein the photographic support is a photographic index comprised of photographic paper (col. 4 lines 3 - 27).

As to claim 9, Steinberg teaches the process of claim 1, wherein the photographic support is a photographic filmstrip (see col. 4 lines 10 – 27).

As to claim 10, Steinberg teaches the process of claim 1, wherein the identifier of the photographic support is placed on a material support distinct from said photographic support (see col. 4 lines 10 – 27).

As to claim 11, Steinberg teaches the process of claim 1, wherein the terminal is a portable terminal (see col. 3 lines 3 – 16).

As to claim 12, Steinberg teaches the process of claim 11, wherein the portable terminal is a cell phone (see col. 3 lines 3 – 16).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

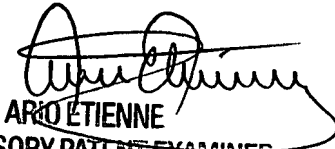
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sargon N. Nano whose telephone number is (571) 272-4007. The examiner can normally be reached on 8 hour.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sargon Nano
Oct. 19, 2007


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